

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:05CR145
	)	
v.	)	
	)	
CAESAR HINOJOSA,	)	ORDER
	)	
Defendant.	)	
	)	

This matter is before the Court on defendant's motion to suppress evidence (Filing No. 46) and the report and recommendation of the magistrate judge (Filing No. 63). The Court notes that no objections were filed to said report and recommendation.

The Court has conducted a review of the transcript (Filing No. 54) and the report and recommendation of the magistrate judge and finds that the report and recommendation should be approved and adopted by the Court for the reasons stated by the magistrate judge in his opinion. Accordingly,

IT IS ORDERED:

- 1) The report and recommendation of the magistrate judge is approved and adopted.
- 2) Defendant's motion to suppress is denied.
- 3) Trial of this matter is scheduled for:

**Monday, September 19, 2005, at 9 a.m.,**

Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18<sup>th</sup> Plaza, Omaha, Nebraska. The ends of justice will be served by continuing this case and outweigh the interests of the

public and the defendant in a speedy trial. The additional time between August 22, 2005, and September 19, 2005, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 22nd day of August, 2005.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court